

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

PATRICK TULLIS,

Plaintiff,

vs.

DR. VIPIN K. SHAW,

ALLAN E. MARTIN,

KENDRA SEIP,

CHRISTINA BROWN,

DR. ART FUNK,

Defendants.

Case No. 14-cv-0070-MJR-SCW

MEMORANDUM AND ORDER  
ADOPTING REPORT & RECOMMENDATION

REAGAN, Chief Judge:

On September 11, 2017, the parties appeared before the Honorable Stephen C. Williams, United States Magistrate Judge, for an evidentiary hearing on Defendants' Motion for Summary Judgment on the Issue of Exhaustion of Administrative Remedies (Doc. 93, 95, 96). Following the hearing, Magistrate Judge Williams prepared a Report and Recommendation (Doc. 122). Judge Williams recommends that the undersigned District Judge grant in part the Defendants' Motion and deny in part the Motion (Doc. 122). Essentially, Magistrate Judge Williams recommends that the Motion for Summary Judgment be granted as to Defendants Seip and Martin (*Id.* at 30) (Docs. 95 and 96). By contrast, he recommends denying the motion as Defendants Brown, Funk, and Shaw (*Id.* at 30) (Doc. 93). Upon issuance of the Report and Recommendation, Magistrate Judge Williams informed the parties that they had 14 days to

object to his recommendations. (*Id.* at 31). The 14-day deadline—October 2, 2017—came and went without any objections being filed.

Accordingly, the Court **ADOPTS** in its entirety the Report and Recommendation (Doc. 122). The Court finds that Magistrate Judge Williams’s recommendations are sound, particularly in light of the detailed analysis of exhaustion as to each individual defendant. All claims against Defendants Seip and Martin are **DISMISSED** with prejudice for failure to exhaust administrative remedies regarding the contents of those claims (Docs. 95, 96). By contrast, Defendants Brown, Funk, and Shaw shall remain parties to this litigation and the case shall proceed as to those Defendants (Docs. 93, 95, 96).

**IT IS SO ORDERED.**

DATED: October 27, 2017

*s/ Michael J. Reagan*  
Michael J. Reagan  
United States District Judge